

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS ROSARIO, *Individually and on
Behalf of Others Similarly Situated*,

Plaintiff,

-against-

LOS CASTILLOS MINI MARKET, CORP.
and CARLOS CASTILLO,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 2/10/2025

23-cv-2240 (MKV)

ORDER ADOPTING R&R

MARY KAY VYSKOCIL, United States District Judge:

After granting in part and denying in part Plaintiff's motion for a default judgment, the Court referred this case to the Magistrate Judge for an inquest into damages [ECF Nos. 25, 26]. The Magistrate Judge issued a thorough and well-reasoned Report and Recommendation ("R&R") [ECF No. 29]. No objections have been filed, the time to file objections has long since passed, and no request for an extension of time to object has been made.

By statute, a district court reviewing a magistrate judge's report and recommendation "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Parties may raise "specific," "written" objections to the report and recommendation "[w]ithin fourteen days after being served with a copy." *Id.*; see also Fed. R. Civ. P. 72(b)(2).

The district court must review *de novo* those portions of the report and recommendation to which timely and specific objections are made. 28 U.S.C. § 636(b)(1)(C); see also *United States v. Male Juvenile*, 121 F.3d 34, 38 (2d Cir. 1997). The district court may adopt those parts of the report and recommendation to which no party has timely objected, provided no clear error is

apparent from the face of the record. *PIRS Cap., LLC v. Chen*, 2024 WL 3938367, at *1 (S.D.N.Y. Aug. 26, 2024); *Lewis v. Zon*, 573 F. Supp. 2d 804, 811 (S.D.N.Y. 2008).

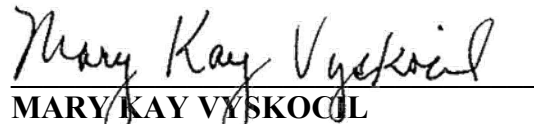
Although no objections were filed, the Court has, nonetheless, carefully reviewed *de novo* Magistrate Judge Cott's thorough and well-reasoned R&R. The Court finds no error, clear or otherwise. The Court therefore adopts the R&R in its entirety.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Plaintiff is entitled to damages in the total amount of \$342,864.04, plus prejudgment interest, as set forth in the R&R.

The Clerk of Court respectfully is requested to enter judgment and to close this case.

SO ORDERED.

Date: February 10, 2025
New York, NY


MARY KAY VYSKOCIL
United States District Judge